

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
DOLORES CUITTE,

Plaintiff,

-against-

WINTHROP UNIVERSITY HOSPITAL,

Defendant.  
-----X

MEMORANDUM AND ORDER

CV 06-6140

(Wexler, J.)

APPEARANCES:

KOEHLER & ISAACS LLP  
BY: BRIAN C. NOONAN, ESQ.  
61 Broadway - 25<sup>th</sup> Floor  
New York, NY 10006  
Attorneys for Plaintiff

PUTNEY, TWOMBLEY, HALL & HIRSON LLP  
BY: MARY ELLEN DONNELLY  
521 Fifth Avenue  
New York, NY 10175  
Attorneys for Defendant

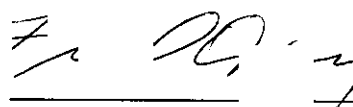
WEXLER, District Judge

Presently before the court is an appeal of an order of Magistrate Judge Arlene Rosario Lindsay dated July 18, 2007. That order denied reconsideration of the Magistrate Judge's order denying Plaintiff's motion to compel.

Pursuant to Rule 72 of the Federal Rules of Civil Procedure this court shall modify or set aside any part of the order appealed from that is "clearly erroneous or contrary to law." FRCP 72(a). This court has reviewed Plaintiff's objections and the order of Magistrate Judge Lindsay and concludes that the order appealed from should be affirmed. Accordingly, Plaintiff's

objections are hereby overruled and the Order of Magistrate Judge Lindsay is affirmed.

SO ORDERED

  
\_\_\_\_\_  
LEONARD D. WEALER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
September 5, 2007